



Docket No.: DRIZZO 3.0-001 RE
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Reissue Application of:
Rizzo, et al.

Application No.: 10/645,450

Confirmation No.: 7979

Filed: August 21, 2003

Art Unit: N/A

For: COMPUTERIZED SYSTEM AND METHOD
FOR ASSISTING POTENTIAL CLIENTS TO
IDENTIFY AN APPROPRIATE PROVIDER
FOR PROFESSIONAL SERVICES

Examiner: Not Yet Assigned

**PETITION UNDER 37 C.F.R. §1.181(f) TO ESTABLISH PRIOR RECEIPT IN
THE PTO OF ITEMS CONSIDERED OMITTED BY THE PTO -
RESPONSE TO NOTICE OF INCOMPLETE REISSUE APPLICATION**

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This is in response to the Notice of Incomplete Reissue Application Filed Under 37 C.F.R. §1.53(b) mailed for this application on February 11, 2004. A copy of the Notice is enclosed.

Pursuant to 37 C.F.R. §§1.53 (e) and 1.181(f), Applicants hereby request review by way of Petition to the Director of the following facts. Applicants assert that the items indicated as omitted were in fact deposited with the PTO with the original application papers filed on August 21, 2003. In accordance with the requirements of the Notice of June 5, 1996, 61 Fed. Reg. 30,041-30,046, Applicants hereby petition under 37 C.F.R. §1.53(e) for a review of the determination that the items in issue were omitted. Applicants' attorneys authorize that the petition fee under 37 C.F.R. §1.17(h) in the amount of \$130, and any other fees required by this petition, be charged to Applicants' attorneys' deposit account number 12-1095. It is respectfully requested that, upon grant of the petition, the petition fee be credited to said deposit account.

Attached, as proof of the deposit of the items listed in the Notice of Incomplete Reissue Application, is a photocopy of a postcard that identifies "Copy of U.S. Patent No. 6,470,338 (18 pages)" and indicates a date of receipt by the US PTO as August 21, 2003. In accordance with 37 C.F.R. §1.173(a)(1) "a copy of the printed patent, in double column format, each page on only one side of a single sheet of paper" as well as a clean copy of each drawing sheet was submitted and identified on the postcard as "18 pages."

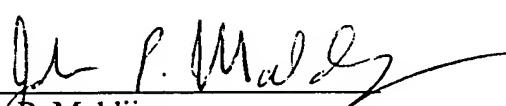
PROVISIONAL PETITION UNDER 37 C.F.R. §1.182 – PROVISIONAL REQUEST FOR FILING DATE AS OF DATE OF SUBMISSION OF OMITTED ITEMS

In the event the above-captioned Petition under 37 C.F.R. §1.181(f) to Establish Prior Receipt in the PTO of Omitted Items does not result in a decision by the PTO that the omitted items in issue were indeed received by the PTO on the original filing date for this application, Applicants hereby petition under 37 C.F.R. §1.182 to accept the date of this submission as the application filing date. Applicants submit the omitted items(s) listed on the Notice of Incomplete Reissue Application and a declaration in compliance with 37 C.F.R. §§1.63 and 1.64 referring to such omitted item(s). Applicants' attorneys authorize that the petition fee under 37 C.F.R. §1.17(h) in the amount of \$130 be charged to deposit account No. 12-1095.

Additionally, in further response to the Notice of Incomplete Reissue Application, attached is the assignee's statement under 37 C.F.R. §3.73(b) establishing ownership of the patent for which Applicants have filed the present reissue application.

Dated: April 5, 2004

Respectfully submitted,

By 

John P. Maldjian

Registration No.: 41,967

LERNER, DAVID, LITTBENBERG,

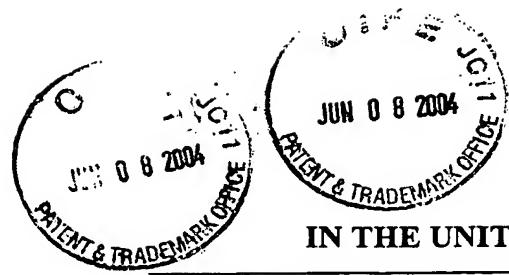
KRUMHOLZ & MENTLIK, LLP

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Attorney for Applicant



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Reissue Application of:
Rizzo, et al.

Application No.: 10/645,450

Confirmation No.: 7979

Filed: August 21, 2003

Art Unit: N/A

For: COMPUTERIZED SYSTEM AND METHOD
FOR ASSISTING POTENTIAL CLIENTS TO
IDENTIFY AN APPROPRIATE PROVIDER
FOR PROFESSIONAL SERVICES

Examiner: Not Yet Assigned

**EVIDENCE OF DEPOSIT OF ITEM(S) WITH
APPLICATION INDICATED AS OMITTED IN THE
NOTICE OF INCOMPLETE REISSUE APPLICATION**

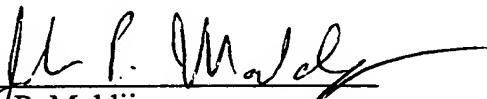
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In connection with the Notice of Incomplete Reissue Application Filed Under 37 C.F.R. 1.53(b) mailed February 11, 2004 and the attached Petition under 37 C.F.R. §1.181(f) to Establish Prior Receipt in the PTO of Items Considered Omitted, Applicants submit the following evidence that the item(s) indicated as omitted were, in fact, deposited with the PTO on August 21, 2003, which is the original date on which the papers for this application were deposited. Attached is a photocopy of the date stamped return post card receipt showing thereon that the item(s) indicated as omitted in the PTO Notice were in fact deposited.

Dated: April 5, 2004

Respectfully submitted,

By 
John P. Maldjian
Registration No.: 41,967
LERNER, DAVID, LITTBENBERG,
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600 South Avenue West
Westfield, New Jersey 07090
(908) 654-5000
Attorney for Applicant



UNITED STATES PATENT AND TRADEMARK OFFICE

LES



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600 SOUTH AVENUE WEST
WESTFIELD, NJ 07090

*Due
28 JUNE 2004*

COPY MAILED
MAY 28 2004

OFFICE OF PETITIONS

In re Application of :
Rizzo, et al. : REQUEST FOR ADDITIONAL
Received: August 21, 2003 : INFORMATION
Reissue App. No. 10/645,450 :
Dkt. No.: DRIZZO 3.0-001 RE :

This letter is in response to the "PETITION UNDER 37 C.F.R. § 1.181(f) TO ESTABLISH PRIOR RECEIPT IN THE PTO OF ITEMS OMITTED BY THE PTO - RESPONSE TO NOTICE OF INCOMPLETE REISSUE APPLICATION" and the "PROVISIONAL PETITION UNDER 37 C.F.R. § 1.182 - PROVISIONAL REQUEST FOR FILING DATE AS OF DATE OF SUBMISSION OF OMITTED ITEMS," filed April 6, 2004 in response to the Notice of Incomplete Reissue Application ("Notice") mailed February 11, 2004.

Prior to a decision on the merits of the instant petition, applicant is hereby requested to submit copies of items identified in the Notice as having been omitted, namely, a copy of the specification, drawings as per 35 U.S.C. 113 (first sentence), and a newly executed oath or declaration covering said items.

Applicant is given one (1) month from the mail of this letter to submit the requested information. Extensions of time under 37 CFR 1.136 are permitted.

The requested information should be directed as follows:

By mail: **Mail Stop Petition**
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

By facsimile: (703) 872-9306

By hand delivery or
courier service (FedEx,
UPS, DHL, etc.): U.S. Patent and Trademark Office
2011 South Clark Place
Customer Window, **Mail Stop Petition**
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

LDLKM

JUN 02 2004

RECEIVED

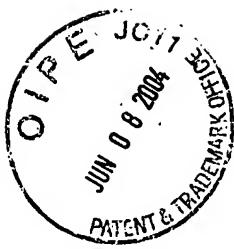
Telephone inquiries related to this decision may be directed to the undersigned at (703) 305-0310.



Alecia M. Brown

Senior Petitions Attorney
Office of Petitions

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PLEASE ACKNOWLEDGE RECEIPT BY RETURNING THIS CARD

Via:

Atty Docket No.: DRIZZO 3.0-001RE

Due Date: NONE

Title:

COMPUTERIZED SYSTEM AND METHOD FOR ASSISTING POTENTIAL
CLIENTS TO IDENTIFY AN APPROPRIATE PROVIDER FOR
PROFESSIONAL SERVICES

Patent No.:

Reissue Application for U.S. Patent No. 6,470,338

Documents Filed:

Reissue Patent Application Transmittal (1 page)

Fee Transmittal (1 page)

Petition to Make Special (2 pages)

Preliminary Amendment (4 pages)

Consent of Assignee (2 pages)

Revocation of Power of Attorney (2 - 1 page each)

Combined Power of Attorney and Supplemental
Declaration (2 - 3 pages each)

Sender's Initials: JPM/CBB

LD-5391

22141 U.S. PTO
10/645450

08/21/03

Copy of U.S. Patent No. 6,470,338 (18 pages)

Charge \$534.00 to deposit account 12-1095

Mailing Date: August 21, 2003

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